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Pulaski County Circuit Court
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IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS

**RAMONA LEIGH HATLEY, INDIVIDUALLY AND
AS SPECIAL ADMINISTRATRIX OF
THE ESTATE OF BRANDON HATLEY, DECEASED**

PLAINTIFF

V. NO. _____

**PATIALA EXPRESS INC. AND
MUBASHAR ISHAQ**

DEFENDANTS

COMPLAINT AND DEMAND FOR JURY TRIAL

Comes the Plaintiff, Ramona Leigh Hatley, Individually and as Special Administratrix of the Estate of Brandon Hatley, Deceased, by and through her counsel, Bud Whetstone and Matthew E. Hartness, and for her cause of action, states:

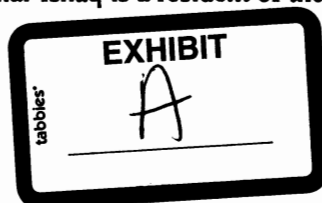
1. Ramona Leigh Hatley is the duly appointed Special Administratrix of the Estate of Brandon Hatley, Deceased, and brings this cause of action for wrongful death, both individually and on behalf of the estate and the wrongful death beneficiaries of the Estate of Brandon Hatley.

2. The Plaintiff's cause of action arises from a incident which occurred in Faulkner County, Arkansas.

3. At the time of the incident which gives rise to this litigation the decedent, Brandon Hatley, was a resident of Pulaski County, Arkansas. That at the time of the incident Plaintiff, Ramona Leigh Hatley, was a resident of Pulaski County, Arkansas.

4. The Defendant, Patiala Express Inc., herein after refereed to as "Patiala," is a foreign corporation with its principal place of business in the State of California, but doing business in Pulaski County, Arkansas.

5. Defendant Mubashar Ishaq is a resident of the State of Pennsylvania.



6. This Honorable Court has personal and subject matter jurisdiction over this matter and venue lies properly herein.

7. On April 13, 2019, the decedent, Brandon Hatley, was operating a 2014 Dodge truck and was traveling North on Interstate 40 in Faulkner County, Arkansas.

9. At the same time and place Defendant Mubashar Ishaq, an employee of Defendant Patiala, was operating a 2018 Volvo tractor trailer and was also traveling North on Interstate 40.

10. As Brandon Hatley proceeded northbound there was a collision between his truck and the tractor trailer being driven by Defendant Mubashar Ishaq. After the collision the truck Brandon Hatley was driving came to rest mostly on the West shoulder of Interstate 40, but partially in the far left lane of Interstate 40. The tractor trailer driven by Defendant Mubasahr Ishaq came to rest in the middle and far right lanes of Interstate 40.

11. After the crash Brandon Hatley exited his vehicle to check on the damage to his truck and to make certain his passenger was alright. At this time Jerry Jones, while driving a 2018 Dodge traveling on Interstate 40, came upon the scene. He was unable to go to the middle or far right lane because Defendant Mubashar Ishaq was blocking those lanes. Thus, he struck Brandon Hatley, which caused fatal injuries.

12. The actions of Defendant Mubashar Ishaq, for which Defendant, Patiala, is responsible constituted negligence, and were a proximate cause of the death of Brandon Hatley. Specific acts of negligence include, but are not limited to, the following:

- a. Failing to put on his flashers after the crash;
- b. Failing to warn vehicles that he was blocking 2 lanes of traffic;
- c. Failing to put out triangles, cones, or other warning devices;

- d. Failing to take appropriate steps to move his vehicle from the 2 lanes of traffic.
- e. Otherwise failing to exercise ordinary care under the circumstances.

13 At the time of the incident which gives rise to this cause of action, Defendant Mubashar Ishaq, was operating a vehicle owned by Defendant Patiala and was acting within the course and scope of his employment with Defendant Patiala. Under the doctrine of *respondeat superior*, Defendant Patiala is vicariously liable for any damages which resulted from the negligence of Defendant Mubasahr Ishaq.

14. That the Plaintiff Ramona Leigh Hatley was the mother of the decedent Brandon Hatley. Brandon Hatley was also survived by his father, Tim Hatley, and half-brother, Blake Martin.

15. That Plaintiff Ramona Leigh Hatley, Individually and as Special Administratrix of the Estate of Brandon Hatley, Deceased claims the following damages:

- a. On behalf of each of the wrongful death beneficiaries, damages for their mental and emotional anguish and pecuniary losses, together with all other damages to which the wrongful death beneficiaries may be entitled;
- b. On behalf of the Estate of Brandon Hatley, deceased, damages for pain, suffering, and mental anguish preceding his death, funeral expenses, medical expenses, together with all other damages to which the estate may be entitled; and,
- c. That Brandon Hatley was not only a loving son, he was also a well known and respected member of the community where he lived.. His life was a good life, and the value of her loss of life is claimed by his estate as damages that should properly be awarded in this matter.

16. That unliquidated damages exceeding the current minimum requirement for federal court jurisdiction in diversity of citizenship cases are claimed. Plaintiff furthermore demands a trial by jury.

WHEREFORE, Ramona Leigh Hatley, Individually and as Special Administratrix of the Estate of Brandon Hatley, Deceased, prays for judgment of and from the Defendants, in an amount adequate to compensate her for the damages she has sustained, which amount exceeds the current minimum amount required for federal court jurisdiction in diversity of citizenship cases Plaintiff further prays for costs, interest and all other just and proper relief to which he may be entitled.

Respectfully Submitted,

BY: /s/Matthew E. Hartness

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